

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

636-C-PCT-US

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

No Yes Known  
**10/518003**INTERNATIONAL APPLICATION NO.  
PCT/US03/18716INTERNATIONAL FILING DATE  
June 13, 2003PRIORITY DATE CLAIMED  
June 13, 2002

## TITLE OF INVENTION

IN-VIVO ENERGY DEPLETING STRATEGIES FOR KILLING DRUG-RESISTANT CANCER CELLS

APPLICANT(S) FOR DO/EO/US  
MARTIN, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: PCT International Search Report (ISR)

PCT Notification Relating to Declaration Made Under PCT Rule 4.17

U.S. APPLICATION NO. 10/518051  
Not Yet Known

INTERNATIONAL APPLICATION NO.  
PCT/US03/18716

ATTORNEY'S DOCKET NUMBER  
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21. ☒ The following fees are submitted:

**CALCULATIONS PTO USE ONLY**

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO..... **\$1080.00**

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... **\$920.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	<b>\$770.00</b>
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International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .	<b>\$730.00</b>
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International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$ 1,080.00**

**Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).**

§

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	20 - 20 =	0	x <b>\$18.00</b>	\$ --	
Independent claims	3 - 3 =	0	x <b>\$86.00</b>	\$ --	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$290.00</b>	\$ --	

<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$</b>
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☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**\$ 540.00**

**SUBTOTAL =**

**\$ 540.00**

Processing fee of **\$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

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**TOTAL NATIONAL FEE =**

**\$ 540.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

**\$**

**TOTAL FEES ENCLOSED =**

**\$ 540.00**

<b>Amount to be refunded:</b>	\$
<b>charged:</b>	\$

<b>charged:</b>	<b>\$</b>
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- a. ☒ A check in the amount of \$ 540.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1891. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO:**

Law Offices of Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20th Avenue  
Whitestone, New York 11357

**Tel: (718) 357-8836**  
**Fax: (718) 357-8615**

Albert Wai Kit Chan  
SIGNATURE

**SIGNATURE**

Albert Wai-Kit Chan

NAME \_\_\_\_\_

36.479

REGISTRATION NUMBER

10/518003

Dkt. #636-C-PCT-US

DT05 Rec'd PCT/PTO 10 DEC 2004  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : MARTIN, et al.

U.S. Serial No.: Not Yet Known, corresponding to  
International Application No.  
PCT/US03/18716, filed June 13, 2003, which  
claims priority of U.S. Serial No.  
10/172,346, filed June 13, 2002

Filed : Herewith

For : IN-VIVO ENERGY DEPLETING STRATEGIES FOR  
KILLING DRUG-RESISTANT CANCER CELLS

Law Offices of Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, NY 11357

December 10, 2004

Mail-Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

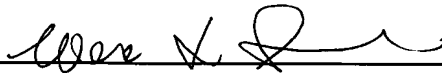
**EXPRESS MAIL CERTIFICATE OF MAILING**  
**IN CONNECTION WITH THE ABOVE-IDENTIFIED APPLICATION**

"Express Mail" mailing label number: EV 333073370 US

Date of Deposit: December 10, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail-Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Printed Name: Woo Li Sim



Respectfully submitted,



Albert Wai-Kit Chan

Registration No. 36,479

Attorney for Applicants

Law Offices of

Albert Wai-Kit Chan, LLC

World Plaza, Suite 604

141-07 20<sup>th</sup> Avenue

Whitestone, New York 11357

Tel: (718) 357-8836

Fax: (718) 357-8615

E-mail: kitchanlaw@aol.com